mpt IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2524 of 2007

Sudhakar O. Jadhav .. Applicant

versus

State of Maharashtra .. Respondent

...

Ms.Leena Patil for the applicant.

Mr.K.V. Saste APP for the State.

CORAM : D.G.KARNIK, J

DATED : 20th November 2007

P.C.:

1. Heard learned counsel for the applicant and learned APP for the State.

2. Perused the copy of the FIR dated 4th June 2007. In paragraph no.4 of the FIR lodged by the Investigating Officer, it is stated that the applicant has **tempoparily** misappropriated the amount of Rs.52,345. It is not clear what does the Sub-divisional Officer mean by temporary misappropriation. Perhaps what he means is that the money was taken as advance and accounts has not been furnished so far.

3. By an order dated 10th August 2007, this court granted interim Anticipatory bail to the applicant. Thereafrer, the applicant has been interrogated on four or five occasions. It is not the case that the applicant is not co-operating with the investigation process nor is it the case that he is not attending the police station when he is called for interogation. Considering the nature of the offence, I think any custodial interrogation for the purpose of investigation and that too after a lapse of more than five months of the lodging of the FIR is not necessary. Hence, I pass the following order :-

O R D E R

. In the event of applicant’s arrest, he shall be released on bail in the sum of Rs.10,000/- with one surety in the like amount subject to the following conditions:-

i) The applicant shall co-operate with the investigation and attend the police station whenever required by the police.

ii) The applicant shall not make any inducement nor pressurise the prosecution witnesses.

. Application is disposed of accordingly.

(D.G. KARNIK, J)